

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

The Bank of New York Mellon fka the Bank of New York as Trustee,

**Plaintiff**

## Sunrise Ridge Master Homeowners Association, et al.,

## Defendants

2:17-cv-00214-JAD-GWF

## **Order Directing Clerk of Court to Accept Security of Costs Under NRS 18.130**

[ECF No. 11]

Defendant Sunrise Ridge Master Homeowners Association has demanded that plaintiff the Bank of New York Mellon, an out-of-state resident, post a cost bond under NRS 18.130(1).<sup>1</sup> The statute allows a defendant in an action brought by an out-of-state plaintiff to demand that the plaintiff post a bond to secure costs up to \$500.<sup>2</sup> Once the demand is filed and served, “all proceedings in the action shall be stayed” until the cost bond is deposited.<sup>3</sup> If the bond is not posted within 30 days of the demand, the defendant may move for dismissal.<sup>4</sup>

Because a court order is required in this district for the Clerk of Court to permit the posting of a cost bond, the demand is tracked as a motion in the court's system. Accordingly, with good cause appearing, **IT IS HEREBY ORDERED** that:

- The HOA's Demand for Security of Costs [ECF No. 11] is GRANTED;
  - In the event that the cost bond is presented for deposit, the CLERK OF COURT is directed to accept the deposit of \$500.00 under NRS 18.130 as security for costs and

<sup>1</sup> ECF No. 11.

<sup>2</sup> Nev. Rev. Stat. § 18.130(1).

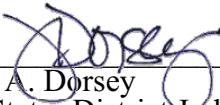
3 Id.

<sup>4</sup> Nev. Rev. Stat. § 18.130(4).

1 charges that may be awarded against the plaintiff. **The plaintiff must bring a copy of**  
2 **this order to the Clerk's office when making this deposit.**

3 IT IS FURTHER ORDERED that **this case is stayed by operation of NRS 18.130(1)**  
4 **until the \$500 cost bond is deposited.**

5 DATED: March 6, 2017

6   
7 Jennifer A. Dorsey  
United States District Judge